AMENDMENT TO H.R. 5515
OFFERED BY MR. PEARCE OF NEW MEXICO

At the appropriate place in the bill, insert the following new section:

SEC. ___. MODIFICATION OF BOUNDARIES OF WHITE SANDS NATIONAL MONUMENT AND WHITE SANDS MISSILE RANGE.

(a) DEFINITIONS.—In this section:

(1) MISSILE RANGE.—The term “missile range” means the White Sands Missile Range, New Mexico, administered by the Secretary of the Army.

(2) MONUMENT.—The term “monument” means the White Sands National Monument, New Mexico, established by Presidential Proclamation No. 2025 (16 U.S.C. 431 note), dated January 18, 1933, and administered by the Secretary.

(3) PUBLIC LAND ORDER.—The term “Public Land Order” means Public Land Order 833, dated May 21, 1952 (17 Fed. Reg. 4822).

(4) SECRETARY.—The term “Secretary” means the Secretary of the Interior.
(5) MILITARY MUNITIONS.—The term “military munitions” has the meaning given the term in section 101(e)(4) of title 10, United States Code.

(6) MUNITIONS DEBRIS.—The term “munitions debris” means remnants of military munitions remaining after munitions use, demilitarization, or disposal.

(b) TRANSFERS OF ADMINISTRATIVE JURISDICTION.—

(1) TRANSFER OF ADMINISTRATIVE JURISDICTION TO THE SECRETARY.—

(A) IN GENERAL.—Administrative jurisdiction over the land described in subparagraph (B) is transferred from the Secretary of the Army to the Secretary.

(B) DESCRIPTION OF LAND.—The land referred to in subparagraph (A) is the land generally depicted as “Transfer DOA to NPS (National Park Service)” on the map titled “White Sands National Monument (WHSA) & White Sands Missile Range (WSMR) New Proposed White Sands National Monument Boundary”, created April 20, 2018, comprising—

(i) approximately 2,826 acres of land within the monument that is under the ju-
risdiction of the Secretary of the Army; and

(ii) approximately 5,766 acres of land within the missile range that is abutting the monument.

(2) TRANSFER OF ADMINISTRATIVE JURISDICTION TO THE SECRETARY OF THE ARMY.—

(A) IN GENERAL.—Administrative jurisdiction over the land described in subparagraph (B) is transferred from the Secretary to the Secretary of the Army.

(B) DESCRIPTION OF LAND.—The land referred to in subparagraph (A) is the approximately 3,737 acres of land within the monument abutting the missile range, as generally depicted on the map described in paragraph (1)(B) as “Transfer NPS to DOA (Department of the Army)”.

(c) BOUNDARY MODIFICATIONS.—

(1) MONUMENT.—

(A) IN GENERAL.—Following transfers in subsection (b), the boundary of the monument is modified as generally depicted as “New Proposed WHSA Boundary” on the map described in subsection (b)(1)(B).
(B) MAP.—

(i) IN GENERAL.—The Secretary, in coordination with the Secretary of the Army, shall prepare and keep on file for public inspection a map and legal description depicting the revised boundary of the monument.

(ii) EFFECT.—The map and legal description shall have the same force and effect as if included in this Act, except that the Secretary may correct clerical and typographical errors in the legal description and map.

(2) MISSILE RANGE.—The Public Land Order is modified to exclude the land transferred to the Secretary under subsection (b)(1) and to include the land transferred to the Secretary of the Army under subsection (b)(1).

(3) CONFORMING AMENDMENT.—Section 2854 of Public Law 104–201 (54 U.S.C. 320301 note) is repealed.

(d) ADMINISTRATION.—

(1) MONUMENT.—The Secretary shall administer the land transferred under subsection (b)(1) in
accordance with laws (including regulations) applicable to the monument.

(2) MISSILE RANGE.—Subject to paragraph (3), the Secretary of the Army shall administer the land transferred to the Secretary of the Army under subsection (b)(2) as part of the missile range.

(3) FENCE.—

(A) IN GENERAL.—The Secretary of the Army shall continue to allow the Secretary to maintain the fence shown on the map described in subsection (b)(1)(B) until such time as the Secretary determines that the fence is unnecessary for the management of the monument.

(B) REMOVAL.—If the Secretary determines that the fence is unnecessary for the management of the monument under subparagraph (A), the Secretary shall promptly remove the fence at the expense of the Department of the Interior.

(4) MILITARY MUNITIONS AND MUNITIONS DEBRIS.—

(A) RESPONSE ACTION.—With respect to any Federal liability, the Secretary of the Army shall remain responsible for any response action addressing military munitions or munitions de-
bris on the land transferred under subsection (b)(1) to the same extent as on the day before the date of enactment of this Act.

(B) ACCESS.—At the request of the Secretary and subject to available appropriations, the Secretary of the Army shall have access to the land transferred under subsection (b)(1) for the purposes of conducting investigations of military munitions or munitions debris on the transferred land.

(C) APPLICABLE LAW.—Any activities undertaken under this subsection shall be carried out in accordance with the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (42 U.S.C. 9601 et seq.).